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7 Fenner & Smith Inc.

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 MERRILL LYNCH, PIERCE, FENNER &) CASE NO.: C 07-3336 MMC
12 SMITH INC., a Delaware corporation,)
13 Plaintiff,) **NOTICE OF SETTLEMENT**
14 vs.)
15 WILLIAM E. FREDRICKSON,)
16 Defendant.)
17 _____)

18 Plaintiff - Merrill Lynch, Pierce, Fenner & Smith, Incorporated, and defendant - William
19 Fredrickson, hereby notify the Court that a settlement agreement in this case has been finalized.
20 As such, the parties will not be filing briefs in preparation for the preliminary injunction hearing
21 currently set for August 2, 2007. Pursuant to the settlement reached by the parties, however, the
22 Temporary Restraining Order will remain in effect until August 2, 2007. On that date, plaintiff
23 will file a Stipulation for Dismissal pursuant to Federal Rules of Civil Procedure, Rule 41.
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1 Dated: July 24, 2007

GORDON-CREED, KELLEY,
HOLL & SUGERMAN, LLP

4 By: /s/ Kevin J. Holl
5 Kevin J. Holl
6 Attorneys for Merrill Lynch, Pierce,
Fenner & Smith, Inc.

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1 **PROOF OF SERVICE BY E- MAIL**
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4 I am a resident of the State of California, over the age of 18 years, and not a party to the within
5 action. My business address is Gordon-Creed Kelly, Holl & Sugerman, LLP, 222 Kearny Street, Suite
6 650, San Francisco, California 94108.

7 On July 24, 2007, I served the within documents: **NOTICE OF SETTLEMENT**
8 on the parties in the within action at the following email address: *bfredrickson@royalaa.com*

9 I declare under penalty of perjury under the laws of the United States of America that the above
10 is true and correct.

11 Executed on **July 24, 2007**, at San Francisco, California.

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/s/ Linda J. Halperin
14 Linda J. Halperin
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